

**Notice of Allowability**

Application No.

10/539,449

Examiner

Dana Ross

Applicant(s)

SUGATA ET AL.

Art Unit

3722

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 11/6/06.
2. ☒ The allowed claim(s) is/are 7-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

*Allowable Subject Matter*

1. Claims 7-14 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art neither anticipates nor renders obvious a work processing method in a machine tool having a main shaft movable in at least a longitudinal direction, the main shaft being at a position on one side, in a horizontally longitudinal direction of a foundation as claimed in independent claim 7, specifically wherein the combination of limitations include the work grip rotation feed mechanism portion gripping a "bar-shaped" work and rotating the bar-shaped work and varying the position of the lateral stand by rotating the vertical rotation support shaft between a case where the bar-shaped work is attached to and removed from the work grip rotation feed mechanism portion and case where the bar-shaped work is processed by longitudinal displacement of the main shaft; or a support device for work processing in a machine tool having a main shaft movable in at least a longitudinal direction at a position on one side of a foundation in a horizontally longitudinal direction as claimed in independent claim 10, specifically wherein the combination of limitations includes the work grip rotation feed mechanism portion gripping a "bar-shaped" work and rotating the bar-shaped work and varying the position of the lateral stand by rotating the vertical rotation support shaft between a case where the bar-shaped work is attached to and removed from the work grip rotation feed mechanism portion and case where the bar-shaped work is processed by longitudinal displacement of the main shaft.

As stated in the previous office action, the prior art does not anticipate the claimed inventions.

The closest prior art is US Pat. No. 6,161,995 (Wakazono et al., hereafter '995) in view of US Pat. No. 5,564,483 (Sacchi, hereafter '483).

Applicant's arguments as to the amended claim language were persuasive.

Examiner agrees with Applicant that the amended claim language overcomes the rejection under '995 in view of '483 since neither disclose the combination of limitations as claimed, specifically the work grip rotation feed mechanism portion gripping a "bar-shaped" work and rotating the bar-shaped work and varying the position of the lateral stand by rotating the vertical rotation support shaft between a case where the bar-shaped work is attached to and removed from the work grip rotation feed mechanism portion and case where the bar-shaped work is processed by longitudinal displacement of the main shaft.

Furthermore, there is no prior art, either alone or in combination with either '995 or '483 that would render obvious the claimed inventions, and no motivation found to modify the prior art to obtain the claimed inventions.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dana Ross whose telephone number is 571-272-4480. The examiner can normally be reached on Mon-Thurs.

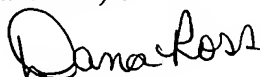
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



dmr



Dana Ross  
Examiner  
Art Unit 3722